

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

UNITED STATES OF AMERICA,

VS.

CRIMINAL ACTION NO. 1:08CR054-P-D

ROBERT STRAUGHTER,

DEFENDANT.

ORDER CONTINUING TRIAL

This matter comes before the court upon Defendant's fourth Motion for Continuance [35]. After due consideration of the motion, the court finds as follows, to-wit:

Trial is currently set for February 9, 2009. Defense counsel requests a continuance to afford additional time to interview a witness, Ms. Lizzie Jones of Chicago, IL, in order to secure a statement for a potential suppression motion.

The Government has no objection to the continuance.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. section 3161(h)(8)(A), the period of delay from February 9, 2009 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given the circumstances described above, a continuance is necessary to afford the defendant's counsel more time to adequately prepare for his client's defense. As such, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial.

IT IS THEREFORE ORDERED AND ADJUDGED that:

- (1) Defendant's third Amended Motion for Continuance [35] is **GRANTED**;
- (2) Trial of this matter is continued until Monday, April 13, 2009 at 9:00 a.m. in the United States Courthouse in Greenville, Mississippi;

(3) The delay from February 9, 2009 to April 13, 2009 is excluded from Speedy Trial Act considerations as set out above;

(4) The deadline for filing pretrial motions is March 23, 2009; and

(5) The deadline for submitting a plea agreement is March 30, 2009.

SO ORDERED this the 22nd day of January, A.D., 2009.

/s/ W. Allen Pepper, Jr.

W. ALLEN PEPPER, JR.

UNITED STATES DISTRICT JUDGE